

# EXHIBIT 6

Cause No. D-1-GN-23-001095

TOTH ENTERPRISES II, P.A., et al.,	§	IN THE DISTRICT COURT OF
<i>Plaintiffs,</i>	§	
	§	
vs.	§	TRAVIS COUNTY, TEXAS
	§	
CLAY ELLIS, et al.,	§	
<i>Defendants</i>	§	98 <sup>th</sup> JUDICIAL DISTRICT

**NOTICE OF NONSUIT WITHOUT PREJUDICE**

TO THE HONORABLE JUDGE OF SAID COURT:

COME NOW, Toth Enterprises II, P.A., William Franklin, M.D., and Allied Lab Solutions, LLC, pursuant to Rule 162 of the Texas Rules of Civil Procedure and file this Notice of Non-suit without prejudice to refiling as to all claims asserted in this matter against all Defendants.

This Notice is effective upon filing, and no action by the Court is necessary. *McGowen v. Huang*, 120 S.W.3d 452, 461 (Tex. App.—Texarkana 2003, pet. denied) (“A nonsuit is effective as soon as it is filed.”) (citing *Greenberg v. Brookshire*, 640 S.W.2d 870, 872 (Tex. 1982); *Zimmerman v. Ottis*, 941 S.W.2d 259, 261 (Tex. App.—Corpus Christi 1996, no writ); *Miller v. Armogida*, 877 S.W.2d 361, 364 (Tex. App.—Houston [1st Dist.] 1994, writ denied)).

There are no more remaining Plaintiffs in this case and this should conclude this matter.

Costs of court are to be borne by the party incurring such costs.

Respectfully submitted,

COLLMER LAW GROUP

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ATTORNEYS FOR TOTH ENTERPRISES  
II, P.A., ALLIED LAB SOLUTIONS, LLC,  
AND WILLIAM FRANKLIN, M.D.

**CERTIFICATE OF SERVICE**

The undersigned certifies that a copy of this document was served on all counsel of record as required by the Texas Rules of Civil Procedure on this the 5<sup>th</sup> day of May 2023.

/s/Mark W. Collmer  
Mark W. Collmer

**Automated Certificate of eService**

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Conrad Guthrie on behalf of Mark Collmer

Bar No. 4626420

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Filing Description: NOTICE OF NONSUIT WITHOUT PREJUDICE

Status as of 5/11/2023 9:59 AM CST

Associated Case Party: LN PROFESSIONAL MANAGEMENT LLC

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